

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

TIANA IRON HORSE,

Plaintiff,

vs.

GAREY WHITEHIP,

Defendant.


CV 22-122-BLG-SPW

ORDER

Before the Court is Defendant Garey Whitehip's First Motion to Dismiss for Lack of Jurisdiction. (Doc. 10). Defendant contends that the Supreme Court's decision in *United States v. Morrison*, 529 U.S. 598 (2000) precludes jurisdiction in this case. (Doc. 11 at 3). Plaintiff concedes that the Court does not have jurisdiction under *Morrison* and agrees to dismissal. (Doc. 12 at 1).

Accordingly, IT IS SO ORDERED that Defendant's First Motion to Dismiss for Lack of Jurisdiction (Doc. 10) is GRANTED. The Clerk of Court is directed to enter judgment in favor of Defendant and close this matter.

DATED this 20<sup>th</sup> day of March, 2023.

  
SUSAN P. WATTERS  
United States District Judge